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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TOBIE RAYCHELLE WHIPPLE,  
  
Plaintiff,  
  
v.  
  
C. R. BARD, INC. and BARD  
PERIPHERAL VASCULAR, INC.  
  
Defendants.

Case No.: 2:19-cv-01883-RFB-NJK

**JOINT MOTION FOR  
EXTENSION OF DEPOSITION  
DESIGNATION DEADLINE**

The Parties hereby move for an extension of the deadline to file deposition designations because they will be unable to complete this lengthy process within the April 29, 2024, deadline imposed by the Local Rules.

On January 24, 2024, the Court ordered the parties to file a joint motion with proposed trial and Daubert hearing dates (Dkt. 123). On February 6, 2024, the parties filed the requested motion, and included a request for a scheduling order to facilitate trial preparation that would sequence motions *in limine* before deposition designations. (Dkt. 124). On March 30, 2024, the Court denied

1 the motion (Dkt. 127). Pursuant to docket #127 and Local Rule of Civil Procedure 26-1(b)(5) and  
2 (6), a proposed pretrial order is due on April 29, that is to include deposition designations.

3 As noted in docket #124, because a majority of the witnesses in this case are unavailable to  
4 testify live, as with other Bard IVC filter trials, there will be a significant number of deposition  
5 videos to be played or transcripts to be read to the jury. In prior trials, the parties engaged in a multi-  
6 week process of designating deposition testimony, which involves multiple rounds of exchanging  
7 testimony, providing objections and counter-designations, responding to objections and adjusting  
8 designations, and repeating until the designations are finalized for the Court's review and rulings on  
9 objections. This process also ensures that the parties have time to consider objections and responses  
10 (i.e., meet and confer) before submitting any dispute to the court. Given current commitments, the  
11 parties anticipate that they will be able to complete this process by May 21, 2024.  
12

13 The Parties, therefore, request that they be permitted to submit deposition designations by  
14 May 21, 2024, instead of April 29, 2024, when the other elements of the proposed pretrial order are  
15 due.  
16

17 Attached as **Exhibit A** is a proposed order.

18 Respectfully submitted:

19 Dated: April 3, 2024

20 By: /s/  
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## **EXHIBIT A**

## **EXHIBIT A**

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 TOBIE RAYCHELLE WHIPPLE,

4 Plaintiff,

5 v.

6 C. R. BARD, INC. and BARD  
PERIPHERAL VASCULAR, INC.

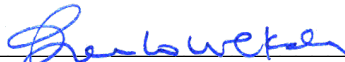
7 Defendants.  
8

Case No.: 2:19-cv-01883-RFB-NJK

**[PROPOSED] ORDER**

9 The Court orders that deposition designations and objections shall be filed by May 21, 2024.  
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11 **IT IS SO ORDERED.**

12 

13 **BRENDA WEKSLER**

14 **UNITED STATES MAGISTRATE JUDGE**

15 **DATED** this 9 day of April, 2024.  
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